

COMMITTEE SUBSTITUTE

for

H. B. 2840

(BY DELEGATE(S) CAMPBELL, ROWAN,
PASDON, COOPER, PERRY AND ELDRIDGE)

(Originating in the Committee on Finance)
[February 27, 2015]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-5-45a, relating to authorizing a county board of education in certain circumstances to provide instruction to students during emergency closures under an alternative plan to make up lost days of traditional instruction in a manner that meets the instructional day and time requirements for not more than four instructional days of accumulated time so

that the board is not required to repurpose other days or add additional days of instruction to maintain compliance in reaching the mandatory one hundred eighty separate instructional days.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §18-5-45a, to read as follows:

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-5-45a. Alternate instruction plan for emergency closure days and times.

1 (a) The purpose of this section is to allow optional plans for
2 school systems to provide instruction that meets the school
3 calendar requirements for instructional days and time in section
4 forty-five of this article during an emergency closure of school
5 facilities. An “emergency closure” means hours or days during
6 the instructional term when it is necessary to close schools for
7 disease epidemic, hazardous weather conditions,
8 law-enforcement emergencies, inoperability of school buses or
9 other equipment necessary to the school’s operation, damage to
10 a school building, or other temporary circumstances due to
11 utility failure rendering the school building unfit for school use.

12 Instruction provided during an emergency closure through a plan
13 established in accordance with this section meets the
14 instructional day and time requirements in section forty-five of
15 this article for not more than four instructional days of
16 accumulated time, including full instructional days, and,
17 therefore, does not require the repurposing of other days
18 pursuant to subsection (e), section forty-five of this article, or
19 adding additional days of instruction to maintain compliance in
20 reaching the mandatory one hundred eighty separate
21 instructional days established in said section forty-five.

22 (b) Prior to the first day of August of each school year, a
23 county board of education may submit to the State Board of
24 Education a plan for providing instruction to students during
25 emergency closures which includes at least the following:

26 (1) The method or methods of providing the instruction
27 including, but not limited to delivery using lessons on electronic
28 devices provided to students, lessons posted on a board or school
29 website and distribution of emergency closure day packets of
30 instructional assignments, or any combination of these
31 instructional delivery methods. The method or methods must

32 accommodate any differences in the ability of students to access
33 the instructional assignments and to complete them within a
34 reasonable time period:

35 (2) The method for ensuring that each classroom teacher
36 develops and makes available a sufficient number of
37 instructional assignments for each course taught by the teacher
38 to cover the amount of emergency closure time specified in the
39 plan;

40 (3) The method for ensuring that the instructional
41 assignments are based on current instructional progress to the
42 extent possible and necessary, and are updated or replaced by the
43 classroom teacher when needed;

44 (4) The method for informing students of the emergency
45 closure instructional assignments, the order in which they are to
46 be completed during emergency closures and the consequences
47 of not completing them; and

48 (5) The method for requiring students to complete the
49 instructional assignments, the time period for completion and for
50 assigning a grade for the student's work.

51 (c) Subject to approval by the State Board, the county board
52 may implement the plan for the applicable school year.

53 (d) A county board may submit its plan for providing
54 instruction during an emergency closure as a part of its school
55 calendar for approval by the State Board.

